

## ANDERSON KILL P.C.

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February 20, 2014

By ECF

The Honorable Lorna G. Schofield  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: Thornapple Associates, Inc. v. Deutsch  
Civil Action No. 13-CV-9196 (LGS)

Dear Judge Schofield:

We write as counsel for Defendant Peter E. Deutsch to respectfully request an adjournment of the Initial Pretrial Conference in this matter, which is scheduled for tomorrow, February 21, 2014, at 11:40 a.m.

While this request is sought after the expiration of the original deadline (which, pursuant to Rule I.B.2. of Your Honor's Individual Rules and Procedures for Civil Cases, was yesterday at noon), we respectfully submit that extraordinary circumstances exist for this request. I received a call this morning from my colleague, Rachael Ann Kierych, counsel of record for the Defendant, who stated that she was hospitalized last night, would remain in the hospital throughout the day, and might remain there overnight tonight.

On Ms. Kierych's behalf, I contacted Plaintiff's counsel, Dennis Rothman, Esq. Mr. Rothman consented to an adjournment under these circumstances.

No previous request for an extension has been made. Mr. Rothman indicated that he will be traveling out of the country beginning next week. Therefore, the parties respectfully request that, if the Court were to grant the adjournment, the Initial Pretrial Conference be rescheduled for the week of March 10th (with the exception of March 12th or the morning of March 14th in order to accommodate Mr. Rothman's pre-existing court appearances) or the week of March 17th.

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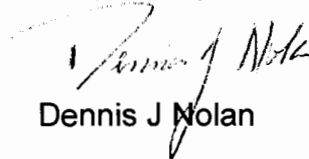
Dennis J Nolan

February 20, 2014

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We apologize to the Court for any inconvenience and thank the Court for its consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dennis J. Nolan", is written over the typed name.

Dennis J Nolan

cc: Dennis M. Rothman, Esq. (via email)